

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON

ROBERT OTIS JOHNS,

No. 6:16-cv-00409-PK

Plaintiff,

ORDER

v.

NANCY A. BERRYHILL, Acting
Commissioner of the Social Security
Administration,

Defendant.

HERNÁNDEZ, District Judge:

Magistrate Judge Papak issued a Findings and Recommendation [37] on January 22, 2018, in which he recommends that the Court affirm the Commissioner's decision with respect to Plaintiff's application for Supplemental Security Income and remand the Commissioner's decision with respect to Plaintiff's application for Disability Insurance Benefits for further

proceedings pursuant to Sentence Six of 42 U.S.C. § 405(g). The matter is now before me pursuant to 28 U.S.C. § 636(b)(1) and Federal Rule of Civil Procedure 72(b).

Because no objections to the Magistrate Judge's Findings and Recommendation were timely filed, I am relieved of my obligation to review the record *de novo*. *United States v. Reyna-Tapia*, 328 F.3d 1114, 1121 (9th Cir. 2003) (en banc); *see also United States v. Bernhardt*, 840 F.2d 1441, 1444 (9th Cir. 1988) (*de novo* review required only for portions of Magistrate Judge's report to which objections have been made). Having reviewed the legal principles *de novo*, I find no error.

CONCLUSION

The Court adopts Magistrate Judge Papak's Findings and Recommendation [37]. Accordingly, the Commissioner's final decision denying Plaintiff's Disability Insurance Benefits is REVERSED and REMANDED for further proceedings pursuant to Sentence Six of 42 U.S.C. § 405(g).

IT IS SO ORDERED.

DATED this 4 day of ^{APRIL} ~~March~~, 2018.


MARCO A. HERNÁNDEZ
United States District Judge